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Mr. George W. Koch
President/Chief Executive Officer
Grocery Manufacturers of
America, Inc.
1010 Wisconsin Avenue, N.W.
Washington, D.C. 20007

Dear Mr. Koch:

I am writing in response to your letter of February 13, 1981, to Secretary Haig regarding the World Health Organization's proposed code of marketing practices for infant formula.

The U.S. Government currently has under review its position regarding the proposed code, and we will certainly take your views into account in arriving at a position on the code.

On a preliminary basis, however, let me address several of the points in your letter. First, the code's provisions relating to its "scope" make it clear that the only foods it addresses are those "marketed or otherwise represented to be suitable, with or without modification, for use as a partial or total replacement of breastmilk." Over the past year, U.S. officials have consistently sought to keep the scope of the code limited. Through our conversations with WHO staff and other delegations, we are satisfied that the code addresses only infant formula and products actually marketed as breastmilk substitutes. It does not extend to cover cereals or pureed vegetables. It does not extend even to milk or powdered milk unless they are being marketed or represented as replacements for breastmilk.

Second, there has been extensive opportunity and occasion for comment by the infant formula industry, to both the U.S. Government and WHO. Staff in various agencies of the government have been in continuous communication with industry officials over the past year. We have also received from these officials voluminous documents containing their views on the code. We intend to continue this practice.

I would also note that the issue of infant malnutrition and infection, especially in developing nations, is a matter of long-standing interest to health professionals, the World Health Organization and the U.S. Government. While the code may now be supported in part by groups outside the traditional health sector, the broad issue surrounding the code originates in the internation health community and reflects a serious health concern.

The Government does have concern about a number of the specific provisions of the draft code, including those relating to advertising. We certainly would not be able to support the code in the form of binding regulations, as has been urged by some WHO member governments.

We will be taking all of these factors into account as we prepare the U.S. position for the vote that will be taken on the code at the World Health Assembly in May. I thank you for writing and hope I have been able to clarify some of the issues you raised.

Sincerely,

Michael H. Newlin
Acting Assistant Secretary for
International Organization Affairs

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